

Docket No.: 0941-0767P

Application No. 09/473,558  
Amendment dated May 30, 2006  
Reply to Office Action of February 27, 2006

**REMARKS**

Claims 1-15 remain present in this application.

The specification and claim 12 have been amended. Reconsideration of the application, as amended, is respectfully requested.

**Restriction Requirement**

Applicants gratefully acknowledge that the Examiner has withdrawn the previous Restriction Requirement.

**Amendments to the Claims**

It is noted that claim 12 has been amended for clarity, wherein an arbitrating device arbitrates "route learning and selection processing order for said network packet received from said plural network port." It is noted that a similar limitation to that set forth in claim 12 can be found in originally filed claim 8.

**Rejection under 35 USC 102(b)**

Claims 9, 10 and 12 stand rejected under 35 USC 102(b) as being anticipated by Cheng, U.S. Patent 6,600,724. This rejection is respectfully traversed.

Independent claim 9 of the present application recites, "providing a routing table made up of plural indices, for recording the *source address* of said packet and the messages associated with said network port" (emphasis added). Independent claim 1 of Cheng, however, discloses a routing table structure which "is implemented as a shortest path tree, e.g. as may be generated by

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a Dijkstra process, organized as a pseudo-spanning tree" (see column 5, lines 16-18). The Dijkstra process, according to column 6, lines 43-44 of Cheng, is "used to calculate the shortest path routes for the specified network constraints." The constraints, for example, are "delay- or cost-based constraints" (see column 4, lines 39-40). In other words, Cheng does not disclose a route table made up of source addresses, and one of ordinary skill in the art would not derive source addresses from delay- or cost-based constraints.

The route learning device discussed in the second paragraph of independent claim 9 of the present application responds "to the source address of said packet and the content of said routing table, for creating a new index of said routing table or updating an index of said routing table." The PNNI topology database 22 in Cheng may store the newly learned addresses in a network address table 24, but the addresses in the network address table 24 are all reachable addresses along with the node(s) via which they can be reached (see column 6, lines 37-40). The addresses of Cheng are used for a Dijkstra process to obtain the shortest path routes (see column 6, lines 43-44). The address of independent claim 9 of the present application, however, is the source address of a packet. The addresses referred to in network address table 24 do not specifically mean the source of a packet. Thus, it is respectfully submitted that the PNNI topology database 22 of Cheng does not disclose the function and structure of the route learning device as set forth in independent claim 9 of the present application.

In addition, the route selecting device of independent claim 9 of the present application determines "the link between the destination of said packet and said network port." According to Cheng, "[i]f an acceptable route to the destination node is found, ... the DTL are constructed. If no acceptable route to the destination node is found, ... the process quits and the call request is

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blocked" (see column 10, lines 13-17). The selecting device in independent claim 9 does not block connection when there is no acceptable route. Thus, it is respectfully submitted that the route selecting device of the present application functions differently than that of Cheng.

In summary, the patent to Cheng does not teach or suggest a switching network packet as set forth independent claim 9 of the present application, as well as its dependent claims. Accordingly, reconsideration and withdrawal of the 35 USC 102(b) rejection are respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge that the Examiner considers claims 1-8 to be allowable, and claims 11 and 13-15 to contain allowable subject matter. In view of the foregoing amendments and remarks, it is respectfully submitted that all claims should now be in condition for allowance.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

Because the additional prior art cited by the Examiner has been included merely to show the state of the prior art and has not been utilized to reject the claims, no further comments concerning this document are considered necessary at this time.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

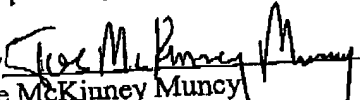
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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